



JCO7 Rec CT/PTO 19 FEB 2002 *5.20.c*

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Johannes Van Sinderen
Serial No.: 10/030,751
Filed: November 9, 2001
Title: MOBILE DATA ACQUISITION DEVICE FOR PROCESSING
DELIVERIES
Docket No.: COH-12726

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TC 2800 MAIL ROOM

LETTER
ENGLISH TRANSLATION

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MAY 10 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

Technology Center 2600

Sir:

Enclosed is an English translation of the International Preliminary Examination Report for filing in the above-identified application.

If there are any fees resulting from this communication, please charge the same to Deposit Account No. 18-0160, Order No. COH-12726.

Respectfully submitted,
RANKIN, HILL, PORTER & CLARK LLP

By *David E. Spaw*
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date indicated below.

David E. Spaw
Name of Attorney for Applicant(s)
1/29/02
Date *David E. Spaw* Signature of Attorney

PATENT COOPERATION TREATY



PCT

NOTIFICATION OF TRANSMITTAL OF COPIES OF TRANSLATION OF THE INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 72.2)

From the INTERNATIONAL BUREAU

To:

COHAUSZ & FLO
Kanzlerstrasse 8a
D-40472 Düsseldorf
ALLEMAGNE

Eingang: 10. DEZ. 2001

Erledigt: ☒ Geschehen: ☒

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|---|--|
| Date of mailing (day/month/year) 29 November 2001 (29.11.01) | IMPORTANT NOTIFICATION |
| Applicant's or agent's file reference GS/jo 990343WO | |
| International application No. PCT/EP00/04146 | International filing date (day/month/year) 10 May 2000 (10.05.00) |
| Applicant IDENTCOM GMBH et al | |

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

AU,CA,CN,JP,KP,KR,NZ,US

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AP,EA,EP,AE,AG,AL,AM,AT,AZ,BA,BB,BG,BR,BY,CH,CR,CU,CZ,DE,DK,DM,DZ,EE,ES,FI,GB,GD,GE,GH,GM,HR,HU,ID,IL,IN,IS,KE,KG,KZ,LC,LK,LR,LS,LT,LU,LV,MA,MD,MG,MK,MN,MW,MX,NO,PL,PT,RO,RU,SD,SE,SG,SI,SK,SL,TJ,TM,TR,TT,TZ,UA,UG,UZ,VN,YU,ZA,ZW,OA

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

| | |
|---|---|
| The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland | Authorized officer Miki KOBAYASHI <i>MKR</i> |
| Facsimile No. (41-22) 740.14.35 | Telephone No. (41-22) 338.83.38 |

Translation

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

| | | |
|---|---|--|
| Applicant's or agent's file reference GS/jo 990343WO | FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) | |
| International application No. PCT/EP00/04146 | International filing date (day/month/year) 10 May 2000 (10.05.00) | Priority date (day/month/year) 14 May 1999 (14.05.99) |
| International Patent Classification (IPC) or national classification and IPC G07F 7/08 | | |
| Applicant IDENTCOM GMBH | | |

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☐ Certain observations on the international application

| | |
|---|--|
| Date of submission of the demand 13 December 2000 (13.12.00) | Date of completion of this report 08 June 2001 (08.06.2001) |
| Name and mailing address of the IPEA/EP | Authorized officer |
| Facsimile No. | Telephone No. |

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP00/04146

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description: _____, as originally filed
 pages 1-11
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the claims: _____, as originally filed
 pages 1-9
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the drawings: _____, as originally filed
 pages 1/1
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description: _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/EP 00/04146

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | | |
|-------------------------------|--------|-----|-----|
| Novelty (N) | Claims | 6-9 | YES |
| | Claims | 1-5 | NO |
| Inventive step (IS) | Claims | | YES |
| | Claims | 1-9 | NO |
| Industrial applicability (IA) | Claims | 1-9 | YES |
| | Claims | | NO |

2. Citations and explanations

1. Reference is made to the following documents:

D1: US-A-5 489 773, KUMAR RAJENDRA, (1996-02-06)

D2: US-A-5 598 487, DANIELSON ARVIN D ET AL.,
(1997-01-28).

2. D1 is considered to be the closest prior art over the subject matter of Claims 1-5, 7 and 8. It discloses (the references in parentheses are to D1):
- a mobile data-acquisition device with a reader (70) for machine-readable information (72) attached to items (73) requiring delivery and characterised by the fact that the input system is designed as a reader (40) for machine-readable information identifying the recipient.

Therefore the solution proposed in the independent Claim 1 of the present application is not novel (PCT Article 33(2)).

3. D2 discloses an additional module (16) for a mobile data-acquisition device (10) for processing

/...

deliveries, where the additional module has a reader - "scanner", see column 2, line 50 - for machine-readable information identifying the recipient and an interface for communication with the input system of the mobile data-acquisition device - see column 1, line 55 to column 2, line 67. Thus the solution proposed in the independent Claim 9 of the present application is likewise not novel (PCT Article 33(2)).

4. The independent Claims 2-8 contain no features which, combined with the features of any claim to which they refer, meet the PCT requirements for novelty and inventive step (PCT Article 33(2) and (3)). The reasons are as follows:

A magnetic card reader as per Claim 2 is known from D1, Figure 6 - cf. also column 3, lines 46-53. In column 4, lines 4-10 an input unit is described which can be used as per Claim 3. A data-processing unit for processing electronic payment using a mobile radio device (Claims 4, 5) is disclosed in D1, column 5, lines 38-64.

Should the need arise to retain not only proof of delivery to an identified recipient but also of the place of delivery, it would be obvious for the person skilled in the art to provide the option of a localisation unit as per the present Claim 6.

Furthermore, Figure 1 of D1, together with the related description, also shows a data terminal as per Claim 7, and an electro-mechanical interface as per Claim 8.

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

5. Contrary to PCT Rule 5.1(a)(ii), the description does not cite D1 and D2 or indicate the relevant prior art disclosed therein.